SINGLE BENCH

P.R. No. 5607/06
Presented by Shri SKVerma
dated 10/10/06

(3) (1)

CF 100/-

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 5394/2006

PETITIONER : **Kamta Prasad Sahu**
S/o Shri Jodhan Prasad Sahu
Age about 44 years, Asstt. Teacher,
Govt. Middle School, Bhadha, P.O. - Beldar
Sivni, Block - Tilda, R/o - Village - Saragaon,
P.O. - Saragaon, Distt. - Raipur

VERSUS

RESPONDENTS : 1. **State Govt. of Chhattisgarh**
Through : Secretary,
School Education Department Ministry,
D.K.S. Bhavan, Raipur (C.G.)

2. **District Education Officer**
Raipur (C.G.)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(17)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 5594 of 2006

Petitioner : Kamta Prasad Sahu

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5595 of 2006

Petitioner : Preem Kumar Verma

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5596 of 2006

Petitioner : Shiv Dayal Sahu

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5597 of 2006

Petitioner : Bhagwan Dutt Navrange

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5598 of 2006

Petitioner : Bhesh Kumar Mahilang

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5599 of 2006

Petitioner : Manharan Lal Verma

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5600 of 2006

Petitioner : Ku. Lata Dewangan

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5601 of 2006

Petitioner : Moti Lal Dhruv

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (S) No. 5602 of 2006

Petitioner : Anuruddha Kumar Verma

Versus

Respondents : State Govt. of Chhattisgarh & another

And

(18)

W. P. (S) No. 5603 of 2006

Petitioner : Jagdish Prasad Sen

Versus

Respondents : State Govt. of Chhattisgarh & another

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Ajay Shrivastava, Advocate for the Petitioners.
Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(12th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B. Ed./B.T.I Examination Certificate.

2. The present writ petitions, being W.P.(S) Nos. 5594/2006, 5595/2006, 5596/2006, 5597/2006, 5598/2006, 5599/2006, 5600/2006, 5601/2006, 5602/2006, and 5603/2006 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another

(19)

(Supra), came to the conclusion that the teachers, who had obtained B.Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./B.T.I. Examination Certificate on their own expenses or not. No order as to costs.

6. A copy of this order be placed on record of other connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

Bablu